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Remarks/Arguments

Reconsideration of the pending application is respectfully requested. Fig. 1 has been changed to include the legend "(Prior Art)". Claims 1-27 remain pending in the present application.

35 U.S.C. § 102 Rejections

The Examiner has rejected Claims 1-27 under 35 U.S.C. 102(b) as being anticipated by WEATHERS, US Patent # 6,210,019 ('019). Applicant's Attorney respectfully traverses the Examiner on this ground of rejection. As Examiner is aware, in order to be a proper anticipatory reference, each and every element of the claim limitations must be clearly present in the cited reference.

Regarding Claims 1-22 and 25-27, Examiner alleges that '019 provides a retrofit unit for a fluorescent lighting fixture comprising a chamber having an elongated protruding bottom wall. Examiner admits that the bottom wall in '019 protrudes outwardly from the fixture rather than downwardly as shown in Figs. 2-5 of the instant application. Claims 1, 8, 14, 22, and 25 have been amended to incorporate a downwardly protruding bottom wall and consequently Claims 2-7, 9-13, 15-21, and 26-27 presently have this limitation by way of claim dependency. Additionally, Examiner makes of record Neuman (US 2,530,582), alleging that Neuman teaches an electric light having an outwardly protruding bottom surface. However, Neuman does not teach a retrofit unit having such a configuration nor having a ballast affixed to a bottom wall. Since each and every element of the claim limitations are not present in the cited reference, Applicant's Attorney respectfully requests that the Examiner remove said rejection.

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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. In Figure 1, previously omitted legend "(Prior Art)" has been added.

Attachments: Replacement Sheet

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Regarding Claim 23, Examiner alleges that '019 teaches a retrofit assembly enclosing an existing fluorescent strip light fixture having an existing ballast. '019 teaches:

Referring to FIG. 2, unneeded components of the existing lighting fixture, including fluorescent lamps 14 and 16, reflector pan 32, sockets 20, and plates 22 and 24, and lamp ballast 34, are removed. The electrical connections to ballast 34 are disconnected, leaving channel 30 and the wires for electrical connection of the retrofit kit. '019, col. 3, ln. 63 – col. 4, ln. 2.

Claim 23 claims a retrofit assembly for a fluorescent lighting fixture comprising: *an existing fluorescent lighting fixture having an existing ballast and existing plurality of lamp holders*. '019 teaches away from retrofitting an existing lighting fixture having an existing ballast and lamp holders by teaching gutting the existing fixture and replacing the component parts, as shown in the above excerpt. This is significant in that the retrofit unit of the present invention enables the retrofit unit to be placed over an existing fluorescent strip without the gutting of the existing fluorescent strip, saving labor costs. Applicant's Attorney therefore respectfully requests that the Examiner remove said rejection.

Regarding Claim 24, Examiner alleges that '019 provides a method for retrofitting a fluorescent lighting fixture as claimed. Claim 24 has been amended to include, "A method for retrofitting a fluorescent lighting fixture, comprising consisting essentially of the steps of:". The steps taught in '019 as shown in the foregoing excerpt require the removal of the ballast as well as the lamps, reflector pan, sockets or holders, and end plates. Many of these steps are eliminated with the present invention saving labor costs in installation. Since each and every element of the claim limitations are not clearly present in '019 (i.e. no gutting of the existing

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fixture), Applicant's Attorney therefore respectfully requests that the Examiner remove said rejection.

As the Examiner is aware, in order to be a proper anticipatory reference, each and every element of the claim limitations must be clearly present in the cited reference. There is no disclosure within the '019 reference disclosing a downwardly protruding bottom wall, nor a method of retrofitting a fluorescent lighting fixture not requiring the gutting of the existing fluorescent lighting fixture. As such, reliance upon the '019 reference as a proper anticipatory reference is inappropriate as each of the elements in the claims are not found therein.

Applicant's Attorney respectfully requests that Examiner remove said rejection.

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Conclusion

Applicant's Attorney asserts that the instant application is in condition for allowance.

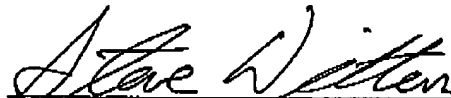
Applicant's Attorney therefore respectfully requests that the Examiner allow the pending claims.

However, if the Examiner believes there are other unresolved issues in this case, Applicant's

Attorney of record would appreciate a call at (502) 584-1135.

Respectfully submitted,

MIDDLETON REUTLINGER



Steve A. Witters, Reg. No. 53,923

2500 Brown & Williamson Tower

Louisville, KY 40202

(502) 584-1135 phone

(502) 561-0442 fax

switters@middreut.com